Document No. 4126
Voted at Meeting of 10/15/81

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING

WHEREAS, the Boston Redevelopment Authority, in accordance with G.L. c. 121B and its predecessor statute G.L. c. 121, adopted and filed in the Suffolk County Registry of Deeds, Book 8195, page 523, an Order of Taking, dated March 28, 1968, concerning and describing the FENWAY URBAN RENEWAL AREA, all of the findings, determinations and descriptions set forth therein being incorporated herein by reference and made a part hereof; and

WHEREAS, the Boston Redevelopment Authority has deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by G.L. c. 79, §40.

NOW THEREFORE BE IT ORDERED that the Boston Redevelopment Authority, acting under the provisions of said c. 121B, and all other authority thereunto enabling and pursuant to the applicable provisions of said c. 79, and of any and every power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain, for the purposes hereinbefore set forth or referred to, the area or areas located in the City of Boston as hereinafter described in ANNEX A, together with any and all easements and rights appurtenant thereto, including the trees, buildings and other structures standing upon or affixed thereto, and excluding the fee, if any, in all public streets, highways and public ways in said area or areas or contiguous and adjacent to the property taken hereby, provided such fee is a part of said property, and excluding any and all easement of travel in and to any and all public streets, highways and public ways in said area or areas or contiguous and adjacent thereto.

AND FURTHER ORDERED that in accordance with the provisions of the General Laws, awards are made by the Boston Redevelopment Authority for damages sustained by the owner or owners and all other persons including all mortgagees of record having any and all interest in each parcel described in ANNEX A and entitled to any damages by reason of the taking hereby made. The Boston Redevelopment Authority reserves the right to amend the award at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor has become vested or for other good cause shown. The awards hereby made are set forth in ANNEX B which ANNEX B is not to be recorded in the Registry of Deeds with this Order of Taking.

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment Authority have caused the corporate seal of the Authority to be hereto affixed and these presents to be signed in the name and behalf of the Boston Redevelopment Authority.

DATED: OCT 15 1981 BOSTON REDEVELOPMENT AUTHORITY

By:

ATTEST:

Secretary of the Boston Redevelopment Authority

Approved as to Form:

Ralph F. Cahill, Assistant General Counsel

ANNEX A

BOSTON REDEVELOPMENT AUTHORITY

FENWAY URBAN RENEWAL AREA

AREA DESCRIPTION

The following sliver parcel of land is taken by this Order of Taking:

Beginning at a point on the northeasterly side of Garrison Street twenty-one and fifty-two hundredths (21.52') feet from the northwesterly corner of Alley 401;

thence running northwesterly forty-one and forty-nine hundredths (41.49') feet along the northeasterly street line of Garrison Street;

thence running northwesterly to northeasterly by a curve having a radius of 20.00 feet, thirty-one and forty-two hundredths (31.42') feet to a point on prepared or existing southeasterly street line of Huntington Avenue;

thence running northeasterly 41°-41'-32" one hundred sixty and eight hundredths (160.08') feet along said prepared or existing street line of Huntington Avenue to a point of curve;

thence running northeasterly to southeasterly by a curve along the junction of the southeasterly street line of said Huntington Avenue with the southwesterly street line of existing or proposed Harcourt Street widening, said curve having a radius of thirty-eight (38.00) feet, a distance of twenty-six and seventy hundredths (26.70') feet to a point;

thence running southeasterly by a curve along the southwesterly existing or proposed street line of Harcourt Street, said curve having a radius of thirty-eight (38.00') feet, a distance of fourteen and fifty-nine hundredths (14.59') feet;

thence turning and running southwesterly by a curve having a radius of thirty-eight and seventy-seven hundredths (38.77') feet, a distance of twenty-one (21') feet, more or less to a point;

thence running southwesterly by a curve having a radius of eight hundred forty-six (846') feet, a distance of fifty-one and sixty-three hundredths (51.63') feet to a point;

thence running southwesterly 41°-41'-32" a distance of one hundred seven and twenty-five (107.25') feet to a point;

thence turning and running southwesterly to southeasterly by a curve having a radius of thirty-seven (37.00') feet, fifty-eight and ten hundredths (58.10') feet to a point of beginning.

Containing approximately 5,581 square feet, more or less.

The taking herein does not include the taking of any interest in any public way and there is specifically excluded Harcourt Street as widened and relocated by action of the Public Improvement Commission of the City of Boston on March 19, 1981, as shown on plan marked, "City of Boston, Public Works Department, Engineering Division, Widening and Relocation and Specific Repair Plan, Harcourt Street, St. Botolph Street, Boston Proper, March 16, 1981, Francis H. O'Rourke, Division Engineer".

The owner of the above-described sliver parcel is unknown.

ANNEX B

BOSTON REDEVELOPMENT AUTHORITY

FENWAY URBAN RENEWAL AREA

AWARD OF DAMAGES

Award for sliver parcel of land, located at the corner of the northeasterly side of Garrison Street and the southeasterly side of Huntington Avenue, containing approximately 5,581 square feet, is $1.00.